

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUANA SIERRA,

07 Civ. 6769 (JSR)

Plaintiff,

- against -

AFFIDAVIT

CITY OF NEW YORK; NEW YORK CITY
DEPARTMENT OF BUILDINGS, and PATRICIA
J. LANCASTER, in her capacity as
COMMISSIONER OF NEW YORK CITY
DEPARTMENT OF BUILDINGS; NEW
YORK CITY DEPARTMENT OF HOUSING
PRESERVATION AND DEVELOPMENT, and
SHAUN DONOVAN, in his capacity as
COMMISSIONER OF NEW YORK CITY
DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT; and EMAD IBRAHEM.

Defendants.

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STATE OF NEW YORK)

SS.:

COUNTY OF NEW YORK)

I, REBECCA WIDOM, declare under penalty of perjury:

1. I am the Director of Research at the Urban Justice Center's Homelessness Outreach and Prevention Project. I have been in this role since 2003 and work primarily on research and policy surrounding access to Food Stamps in New York City.

2. I received a Bachelor of Science from the Massachusetts Institute of Technology in 1994. I then received a Masters of Arts in Sociology from the University of Arizona in 1999. During the course of my studies for my Masters Degree, I completed three semesters of multivariate statistics; one in general social scientific methods, one in program evaluation, and one in ethnographic field methods, as well as many other necessary courses.

3. I submit this affidavit to support Plaintiff Sierra's opposition to the City Defendants' motion to dismiss the complaint.

4. I have read the affidavit of Moon Wha Lee in this matter and several other reports related to the affordability and availability of housing stock in New York City. I have also reviewed the publicly available data and information from the 2005 New York City Housing and Vacancy Survey (“2005 HVS”).

5. Dr Lee’s affidavit did not cite any of his conclusions making it is impossible to analyze the conclusions made or the statistical reliability of these conclusions.

6. In Dr. Lee’s affidavit at paragraph #4, he states that the number of vacant rooming units is too small to be used in a statistically reliable manner. Yet, in paragraph #5 of the same affidavit, Dr. Lee reports the median rent for both occupied and vacant rooming units.

7. In paragraphs #6 and #7, Dr. Lee asserts that there are over 12,000 vacant rental units, the majority regular apartments, with an asking rent of less than \$600. First, the source of this data is not clear. Second, it is not clear if this assertion is based on rent per room within a unit or the total rent for the entire unit.

8. Certainly if the median rent for single room occupancy units is worth considering for these purposes, estimates of the total number of vacant and occupied units from the same study are worth considering as well.

9. Although preliminary analyses do not provide a great deal of detail regarding single room occupancy apartments, we can glean some information about the availability of single room occupancy apartments from the 2005 HVS.

10. Based upon U.S. Census Bureau estimates from the 2005 HVS, I calculated a 6.9% vacancy rate for SRO units, which is greater than the overall vacancy rate of 3.1%.

11. In order to calculate the SRO vacancy rate, I used two structure class categories, “Tenement Bldg – Single Room Occupancy” and “1-2 Family Conv to Rooming House,” from

data available in the 2005 HVS. Although there may be additional structure class categories which include SRO units, because I am not familiar with them I did not include them in my calculations.

12. First, I calculated the total number of occupied units in the two structure class categories from the 2005 HVS, Series IA, Table 15, "Renter Occupied Housing Units by Rent Regulation Status," available at:

<http://www.census.gov/hhes/www/housing/nychvs/2005/s1at15.html>. (Attached as Exhibit A)

Based on this data, the total renter occupied SRO units was 15,550.

13. Next, using data from the same two structure class categories, I calculated the total vacant SRO units from data available in the 2005 HVS, Series IIA, table 15, "Vacant for Rent by Rent Regulation Status," available at

<http://www.census.gov/hhes/www/housing/nychvs/2005/s2at15.html>. (Attached as Exhibit B)

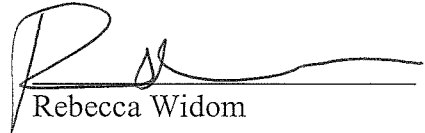
Based on this data, the total vacant for rent SRO units was 1,153.

14. By adding these numbers, I calculated 16,703 as the total number of occupied and vacant SRO units estimated by the U.S. Census Bureau in the 2005 HVS. By dividing the number of vacant units by the number of total units, I obtained an SRO vacancy rate of approximately 6.9%.

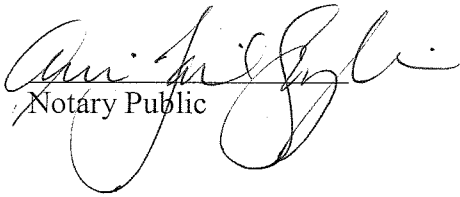
15. I conducted a similar calculation for the overall vacancy rate. First I obtained the total number of occupied units in all reported structure classes as 2,027,626 from the 2005 HVS. (Ex. A) Next I obtained the total number of vacant units in all reported structure classes as 64,737 from the 2005 HVS. (Ex. B) As a result, I determined that the total number of units estimated by the U.S. Census Bureau in the 2005 HVS was 2,092,363. Therefore, using the

same vacancy rate methodology, I divided the number of vacant units by the number of total units and obtained an overall vacancy rate of approximately 3.1%.

Dated: January 28, 2008


Rebecca Widom

Sworn to before me this 28th day of January, 2008


Notary Public

AMIT T. SANGHVI
Notary Public, State of New York
No. 02SA6147026
Qualified in New York County
Commission Expires May 30, 2010